

Report Date: April 8, 2024

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Apr 08, 2024**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Michael Moses Yallup Case Number: 0980 1:19CR02023-SAB-1
 Address of Offender: [REDACTED] White Swan, Washington 98952
 Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge
 Date of Original Sentence: October 21, 2020
 Original Offense: Incest, 18 U.S.C. § 1153
 Original Sentence: Prison - 14 months Type of Supervision: Supervised Release
 TSR - 120 months
 Asst. U.S. Attorney: Letitia Sikes Date Supervision Commenced: May 12, 2022
 Defense Attorney: Federal Defenders Office Date Supervision Expires: May 11, 2032

PETITIONING THE COURT

To issue a warrant and to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on March 27, 2024.

On May 16, 2022, the supervised release conditions were reviewed by Mr. Yallup, indicating an understanding of his conditions.

The probation officer believes that the offender has violated the following condition of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
3	<p><u>Special Condition #9:</u> You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.</p> <p><u>Supporting Evidence:</u> Mr. Yallup is considered to be in violation of his supervised release conditions by failing to attend substance abuse treatment classes at the Tiinawit Program on March 5, 12, 13, 14, 26, 27, and 28; and April 2, 3, and 4, 2024.</p>

On April 4, 2024, the officer spoke with Mr. Yallup's counselor at the Tiinawit Program. The counselor informed this officer that since Mr. Yallup started his treatment program on February 27, 2024, he has only attended 4 out of his 14 scheduled meetings and has missed the last 5 meetings. The counselor also informed this officer that the transportation service

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arrived at Mr. Yallup's place the day before to take him to treatment, but no one answered the door. This officer tried to contact Mr. Yallup several times by phone, but he did not answer.

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Special Condition #8: You must actively participate and successfully complete an approved state-certified sex offender treatment program. You must follow all lifestyle restrictions and treatment requirements of the program. You must participate in special testing in the form of polygraphs, in order to measure compliance with the treatment program requirements. You must allow reciprocal release of information between the supervising officer and the treatment provider. You must pay for treatment and testing according to your ability.

Supporting Evidence: Mr. Yallup is considered to be in violation of his supervised release conditions by failing to attend sex offender treatment class on April 2, 2024.

On April 4, 2024, this officer received a telephone call from Mr. Yallup's sex offender counselor, Ken Schafer. Mr. Schafer informed this officer that Mr. Yallup had failed to attend his last treatment appointment on April 2, 2024, without any prior notice. This officer informed Mr. Schafer a health and wellness check would be conducted at Mr. Yallup's residence due to him missing both sex offender and substance abuse treatment classes.

On April 5, 2024, due to multiple missed substance abuse classes, missed sex offender class, and not answering any telephone calls from this officer, a health and wellness check was conducted at Mr. Yallup's residence with deputies from the U.S. Marshals Service, as well as to deliver a summons. Mr. Yallup was not home, and this officer was able to contact Mr. Yallup's landlord. The landlord said he conducted a walk-through of the residence earlier in the day and surmised that Mr. Yallup had already left for the day. This officer provided the landlord with a business card and requested he hand it to Mr. Yallup when he returned, and the landlord answered he would.

As of the date of this report, Mr. Yallup's whereabouts is unknown.

The U.S. Probation Office respectfully recommends the Court to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court, and that the Court issue a warrant.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: April 8, 2024

s/Kyle Mowatt

Kyle Mowatt

U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

4/8/2024

Date